

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE ANTONY DOMINIC

FRIDAY, THE 28TH SEPTEMBER 2007 / 6TH ASWINA 1929

WP(C).No. 28944 of 2007(U)

PETITIONER:

**M. MUHAMMEDKUTTY,
PROPRIETOR, MALIYEKKAL WOOD WORKS,
FEROKE, KOZHIKODE.**

BY ADV. SRI.E.P.GOVINDAN

RESPONDENTS:

**1. THE INTELLIGENCE INSPECTOR,
SQUAD NO.III, COMMERCIAL TAXES, IRINJALAKUDA,
THRISSUR.**

**2. STATE OF KERALA,
REPRESENTED BY SECRETARY, TAXES DEPARTMENT,
GOVERNMENT SECRETARIAT, TRIVANDRUM.**

BY GOVERNMENT PLEADER SRI.C.K.GOVINDAN

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 28/09/2007, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

ANTONY DOMINIC, J.
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W.P.(C) NO. 28944 OF 2007
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Dated this the 28th day of September, 2007

J U D G M E N T

The petitioner has approached this Court aggrieved by Ext.P1, by which the Teakwood transported by him has been detained by the authorities. It is submitted that teak has been purchased from villages and Ext.P2 is one of the receipts produced. Petitioner has also produced Ext.P3 delivery note and Ext.P4 pass issued by the Forest Department to content that the transportation is legitimate.

Be that as it may, now that the goods have been detained at the checkpost by the authorities, this matter has to be enquired into in terms of the provisions of the Act. Pending adjudication as above, the goods covered by Ext.P1 will be released to the petitioner on his depositing 50% of the amount mentioned and furnishing a bond for the balance amount.

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: 2 :

Photocopy of the registration certificate will also be produced at the time, when the petitioner claims release of the timber.

Writ petition is disposed of as above.

ANTONY DOMINIC, JUDGE.

Rp